



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/918,078	08/25/97	ARMSTRONG	J

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QM11/0708

EXAMINER
ELEY, I

ART UNIT	PAPER NUMBER
3723	

DATE MAILED: 07/08/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/918,078

Applicant(s)  
J. Armstrong

Examiner  
Timothy V. Eley

Group Art Unit  
3723



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-5 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-5 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3203

### **DETAILED ACTION**

1. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

The following order or arrangement is preferred in framing the specification and, except for the title of the invention, each of the lettered items should be preceded by the headings indicated below.

- (a) Title of the Invention.
- (b) Cross-References to Related Applications (if any).
- © Statement as to rights to inventions made under Federally-sponsored research and development (if any).
- (d) Background of the invention.
  - 1. Field of the Invention.
  - 2. Description of the Related Art including information disclosed under 37 CFR 1.97-1.99.
- (e) Summary of the Invention.
- (f) Brief Description of the Drawing.
- (g) Description of the Preferred Embodiment(s).
- (h) Claim(s).
- (I) Abstract of the Disclosure.

2. It is called to applicant's attention that if a communication is deposited with the U. S. Postal Service and mailed to the Office by First Class Mail before the reply time has expired, applicant may submit the reply with a "Certificate of Mailing" which merely asserts that the reply is being mailed on a given date. So mailed, before the period for reply has expired, the reply may be considered timely. A suggested format for a certificate follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

on \_\_\_\_\_ (date).

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Typed or printed name of person signing this certificate

\_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

3.

### **Content of Specification**

- (a) Title of the Invention: The title of the invention should be placed at the top of the first page of the specification. It should be brief but technically accurate and descriptive, preferably from two to seven words. See 37 CFR 1.72(a).
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- © Statement as to rights to inventions made under Federally sponsored research and development (if any): See MPEP § 310.
- (d) Background of the Invention: The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field".
  - (2) Description of the Related Art: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

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- (e) Summary of the Invention: A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (f) Brief Description of the Drawing(s): A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (g) Description of the Preferred Embodiment(s): A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. This item may also be titled "Best Mode for Carrying Out the Invention." Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (h) Claim(s): A claim may be typed with the various elements subdivided in paragraph form. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75.
- (I) Abstract of the Disclosure: A brief narrative of the disclosure as a whole in a single paragraph of 250 words or less on a separate page following the claims.
- (k) Drawings: See 37 CFR 1.81, 1.83-1.85, and MPEP § 608.02.
- (l) Sequence Listing: See 37 CFR 1.821-1.825.

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*Specification*

4. The disclosure is objected to because several numerals which are mentioned in the specification are not shown in the drawings. For example; "M, N, and O"(page 6, line 6) are not show in the drawings.

Appropriate correction is

*Claim Rejections - 35 USC § 112*

5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The subject matter in "()"(claim 1, lines and 2) should be deleted from the claims since subject matter which is positively recited as part of the invention should not be in "()".

b. "the sanding . . . procedure"(claim 1, line 3) lacks proper antecedent basis since it was not properly earlier referred to in the claim.

c. "the contaminants"(claim 1, line 6) lacks proper antecedent basis since it was not properly earlier referred to in the claim.

d. "the dry . . . area"(claim 2, lines 1 and 2) lacks proper antecedent basis since it was not properly earlier referred to in the claim.

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e. "the sanding . . . equipment"(claim 3, line 3) lacks proper antecedent basis since it was not properly earlier referred to in the claim.

f. Applicant's use of the alternative language ("or" and "and/or") renders the claims vague and indefinite, and awkwardly and confusingly worded, since it is not readily apparent as to exactly what is being claimed.

6. Applicant should note the format of the claims in the cited references.

*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Parsons or Kataoka et al, each considered independently, in view of Palmer, Jr.

a. Both Parsons and Kataoka et al disclose a process for in-situ cleaning of a grinding surface by blasting the grinding surface with an abrasive.

b. Neither Parsons nor Kataoka et al disclose using dry ice as an abrasive for cleaning a surface.

c. Palmer, Jr. discloses that it is well known in the art to use dry ice for cleaning a surface by spraying the dry ice against the surface.

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d. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the methods of both Parson and Kataoka et al, each considered independently by using dry ice as the abrasive for in-situ cleaning of the grinding surfaces therein as taught to be desirable by Palmer, Jr.

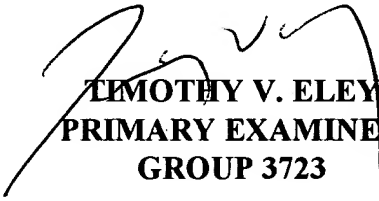
*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Documents related to the instant application may be submitted to Technology Center 3720 by facsimile transmission. Applicant is reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Technology Center 3720 Facsimile Center number is (703)305-3579/3580.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley whose telephone number is (703)308-1824.

tve  
July 6, 1998



**TIMOTHY V. ELEY**  
**PRIMARY EXAMINER**  
**GROUP 3723**